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REMARKS

Independent claims 1, 14, 29, 39, 51, and 62, as well as dependent claims 2-13, 16, 19-28, 30-38, 40-50, 52-61, and 63-74 were presented for examination in the present application and remain pending upon entry of the instant response, which is respectfully requested.

Independent claims 1, 29, 39, 51, and 62, as well as dependent claims 3-4, 6-11, 30-37, 40-46, 49, 52-58, 60, 63-69, and 71 were finally rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,568,399 to Sumic (Sumic). Dependent claims 12-13, 47-48, and 72-73 were rejected under 35 U.S.C. §103 over Sumic in view of U.S. Publication No. 20050251296 to Nelson et al. (Nelson). Dependent claims 27-28 were rejected under 35 U.S.C. §103 over Sumic in view of U.S. Patent No. 6,728,205 to Finn (Finn) in further view of Nelson.

Applicants respectfully traverse these rejections.

Independent claim 1 recites, in part, the step of "adjusting a zone protective function for said zone of protection based at least in part upon changes to said first topology (emphasis added)".

Applicants respectfully submit that Sumic does not disclose or suggest adjusting a zone protection function. Rather, Applicants submit that Sumic merely discloses maintaining and updating the protective device schema. The "schema" of Sumic is simply not a zone protective function as claimed.

More specifically, the present application discloses that:

System 26 can perform zone protection for power distribution system 10 through algorithms applied to the sampled data. See paragraph [0087].

and

The dynamic operation of system 26, and its capability of adjusting the

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zone protection functions, including, but not limited to, the algorithms and/or the coefficients associated with the algorithms, accounts for changes in the topology within the zone of protection, as well as throughout the entire circuit. See paragraph [0088]

Thus, claim 1 adjusts the zone protective function itself based at least in part upon changes to said first topology.

In contrast, Sumic discloses a digraph 64, referring to FIG. 4A, illustrating a power distribution grid with superimposed protective devices. Here, protective devices (P1, P2, P3, et cetera) are set up along the power distribution grid in a manner so as to ensure that only a minimal portion of the system is affected during a fault along a given grid branch. The resulting protective device schema relates to the order in which the protective devices would operate in case of a fault, and the associated backup protective device upstream from each operated protective device that may successively operate to minimize loss of overall power distribution grid integrity. Referring to FIG. 4B, Sumic discloses a data structure 66 representing the protective device schema of digraph 64 utilized in the outage determination program. In other words, by upstream tracing using data structure 66, it can be determined that the backup for protective device P7 is protective device P6, whose backup is in turn protective device P3, and so on. The protective device schema data structure 66 is dynamically maintained and updated following any changes to the distribution system functional topology during the operation of the power distribution system. See col. 6, lines 31-61.

Clearly, Sumic merely dynamically maintains and updates the schema (i.e., the order of the protection devices in the system). Moreover, Sumic simply fails to disclose or suggest adjusting the zone protective function based at least in part upon changes to said first topology as recited by claim 1.

The Office Action fails to assert that Nelson or Finn disclose or suggest adjusting the zone protective function as recited by claim 1.

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Therefore, independent claim 1, as well as claims 2-13 that depend therefrom, are believed to be in condition for allowance over Sumic alone or in combination with Nelson. Reconsideration and withdrawal of the rejection to claims 1-13 are respectfully requested.

Independent claim 29 is directed to a protection system that requires, in part, a control processing unit that "adjusts a zone protective function for said zone of protection based at least in part upon changes to said topology". Similarly, independent claim 39 is also directed to a protection system that requires, in part, a control processing unit "adjusting a zone protective function for the zone of protection based at least in part upon said topology". Independent claims 51 and 62 are each directed to a power distribution system that requires a control processing unit. In claim 51 the control processing unit "adjusts a zone protective function for said zone of protection based at least in part upon changes to said topology", while in claim 62 the control processing unit "adjusts a zone protective function for said zone of protection based at least in part upon said topology".

As discussed in detail above, Sumic merely dynamically maintains and updates the schema (i.e., the order of the protection devices in the system) and therefore fails to disclose or suggest the control processing unit that adjust a zone protective function in the manner recited by independent claims 29, 39, 51, or 62.

The Office Action fails to assert that Nelson or Finn disclose or suggest the control processing unit that adjust a zone protective function in the manner recited by independent claims 29, 39, 51, or 62.

Therefore, independent claims 29, 39, 51, and 62, as well as claims 30-38, 40-50, 52-61, and 63-74 that depend therefrom, are believed to be in condition for allowance over Sumic alone or in combination with Nelson and/or Finn. Reconsideration and withdrawal of the rejection to claims 29-74 are respectfully requested.

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Independent claim 14, as well as dependent claims 2, 5, 16, 19-26, 38, 50, 59, 61, 70, and 74 were rejected under 35 U.S.C. §103 over Sumic in view Finn.

Independent claim 14 recites, in part, the step of "adjusting said zone protective function based at least in part upon changes to said second topology".

As discussed in detail above, Sumic merely dynamically maintains and updates the schema (i.e., the order of the protection devices in the system) and therefore fails to disclose or suggest the step of adjusting said zone protective function in the manner recited by independent claim 14.

Finn discloses a dynamic routing system for a signal between a source and a destination where multiple trees connected to various nodes are determined as contingency paths as shown in FIG. 2:

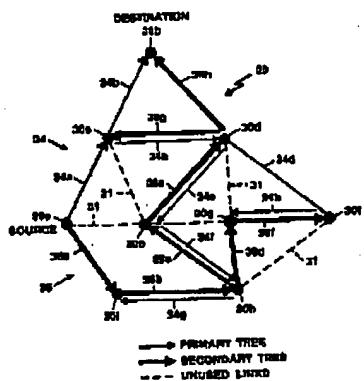


Figure 2

Thus, Finn merely discloses a dynamic routing system and therefore also fails to disclose or suggest the step of adjusting said zone protective function in the manner recited by independent claim 14.

Accordingly, independent claim 14, as well as dependent claims 2, 5, 16, 19-26, 38, 50, 59, 61, 70, and 74, are believed to be in condition for allowance over Sumic

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alone or in combination with Finn. Reconsideration and withdrawal of the rejection to claims 2, 5, 14, 16, 19-26, 38, 50, 59, 61, 70, and 74 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

In the alternative, it is believed that the instant response places the present application in better condition for appeal. Accordingly, entry and consideration of the instant response are respectfully requested.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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Paul D. Greeley
Registration No. 31,019
Attorney for Applicant(s)
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401